

# **2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

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## **Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and of paragraph 4 (c) of the decision of 1995 on principles and objectives for nuclear non-proliferation and disarmament**

### **Report submitted by Spain**

1. In accordance with paragraph 15, subparagraph 12 of the chapter concerning article VI in the Final Document of the 2000 Review Conference, the Government of the Kingdom of Spain is reporting on the steps it has taken to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament.

### **Step 1 Comprehensive Nuclear-Test-Ban Treaty**

2. Spain fully supports the objectives of the Comprehensive Nuclear-Test-Ban Treaty. It was among the first States to ratify the treaty and actively supports the activities of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. Both as an individual State and as a member of the European Union, Spain is engaged in a number of diplomatic initiatives with third States aimed at promoting the universality and entry into force of the Treaty. One of the monitoring stations of the International Monitoring System administered by the Provisional Technical Secretariat of the Preparatory Commission is located in Spain, which defrays part of the station's operating costs.

### **Step 2 Moratorium on nuclear-weapons testing**

3. Pending the universal ratification and entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the moratoria on nuclear-weapons-test explosions or any other nuclear explosions represent an important contribution to international peace and security. Spain is working to ensure that nuclear-weapon States honour and



strengthen their existing commitments regarding moratoria on nuclear-weapons testing.

### **Step 3**

#### **Negotiations for the conclusion of a treaty banning the production of fissile material**

4. Spain has supported various initiatives for the adoption of a programme of work at the Conference on Disarmament in Geneva and believes that negotiations should recommence immediately, in that Conference, on an international treaty establishing limitations and controls on the production of fissile material for nuclear weapons: more specifically, those negotiations should contemplate the banning of the future production of fissile material for nuclear weapons. Pending such an agreement, and even though they are not in themselves adequate, Spain welcomes the moratoria on the production of fissile material declared by nuclear-weapon States (or States possessing nuclear technology in general). At the appropriate time, another, related issue should also be taken into consideration: the treatment of existing stocks of fissile material for nuclear weapons. Spain has supported the holding of seminars on these issues, organized on an informal basis in Geneva by the delegation of the Netherlands, and has participated in those seminars.

### **Step 4**

#### **Nuclear disarmament in the Conference on Disarmament**

5. Among the issues that the Conference on Disarmament should be in a position to consider, on a priority basis, is the issue of nuclear disarmament. Spain believes that an ad hoc body should be established to give due attention to this issue.

### **Step 5**

#### **Irreversibility**

6. Spain believes that the principle of irreversibility should be considered as an essential principle of arms control, disarmament and non-proliferation. The credibility of bilateral and multilateral agreements on disarmament and arms control depends very strongly on their irreversibility. Spain calls upon all nuclear-weapon States to reflect the concept of irreversibility in their agreements on the reduction and elimination of nuclear weapons.

### **Step 6**

#### **Unequivocal undertaking**

7. The undertaking to accomplish the total elimination of their nuclear arsenals, referred to in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and in the documents of the 2000 Review Conference, is an extremely important goal. Spain welcomes the measures adopted to reduce nuclear arsenals and urges all nuclear-weapon States to pursue their efforts to honour this undertaking.

**Step 7****The START negotiations and the Treaty on the Limitation of Anti-Ballistic Missile Systems**

8. The international community cannot ignore the bilateral actions taken on disarmament and arms control or their evolution over time. Bilateral disarmament and arms control measures also make a significant contribution to international peace and security. Transparency, irreversibility and verification are important elements within the bilateral framework, as they are within the multilateral framework. Spain has noted the denunciation by the United States of America of the Treaty on the Limitation of Anti-Ballistic Missile Systems and the establishment by the United States and the Russian Federation of a new strategic framework in consequence of the Moscow Treaty, and it trusts that progress can be made both in the reduction of nuclear arsenals and in the areas of verification, transparency and irreversibility.

**Step 8****Trilateral Initiative**

9. Spain urges the United States of America and the Russian Federation to pursue and to step up negotiations with the International Atomic Energy Agency (IAEA) under the Trilateral Initiative, in order that an agreement between the three parties can be reached, as soon as possible, on the system for verification by the IAEA of fissile material declared surplus to requirements, including its irreversible destruction.

**Step 9****Steps by nuclear-weapon States**

10. Like the large majority of States that make up the international community, Spain believes that nuclear-weapon States have a special responsibility to honour their commitments relating to the maintenance of international peace and security. In this regard, the importance of transparency, verification and irreversibility must be re-emphasized. Nuclear-weapon States should also submit regular reports on their arsenals, delivery systems, fissile-material stocks, and exports of technology for military use. Although it must be recognized that some nuclear-weapon States have shown considerable proof of transparency, it should be borne in mind that any confidence-building measure and any progress made in this area is of particular importance and urgency. More specifically, one cannot ignore the risk that weapons of mass destruction may be used by terrorist organizations. This leads to the realization that non-nuclear weapon States also have important responsibilities with respect to verification and transparency: in this regard, it is essential *inter alia* to strengthen the role played by IAEA. All States should participate in the IAEA safeguards system, including the Additional Protocol and, ultimately, in the new concept of comprehensive safeguards or in other developments of the system.

11. Spain also welcomes the adoption last year of Security Council resolution 1540 (2004), which Spain actively helped to negotiate. Spain helped to sponsor this resolution because it believes that there is an urgent need for action in order to fill a

vacuum in international law relating to the need to prevent terrorist organizations and other entities from accessing weapons of mass destruction and related technologies. Spain calls on all States to adopt the national legislative and administrative measures provided for in the resolution.

### **Step 10**

#### **Arrangements by nuclear-weapon States concerning fissile material**

12. Spain calls on all nuclear-weapon States to adopt or strengthen unilateral measures for the reduction of nuclear arsenals and to take appropriate measures concerning fissile material for military use declared to be surplus to requirements, especially its elimination, in accordance with the appropriate verification systems.

### **Step 11**

#### **General and complete disarmament**

13. Spain participates actively in all international forums and agreements on disarmament and non-proliferation relating to conventional arsenals and weapons of mass destruction, thereby fully assuming political, legal and financial commitments. Spain is also a member of export-control regimes: close international cooperation in such regimes is an entirely legitimate and necessary complement to the general disarmament and non-proliferation system.

### **Step 12**

#### **Submission of reports**

14. Spain fully supports the principle of submitting regular national reports within the framework of the Treaty review process.

### **Step 13**

#### **Development of verification capabilities**

15. Spain believes that verification agreements and systems are an essential part of the international regime of nuclear non-proliferation and disarmament regimes. In general terms, measures that contribute towards transparency, verification and confidence-building are an essential part of the international community's efforts towards the "achievement and maintenance of a nuclear-weapon-free world".